

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

JOHN ANTHONY CASTRO,

Plaintiff,

v.

GLENN R. REISER and LOFARO &
REISER, L.L.P.,

Defendants.

Civil Action No. 23-2120 (RK) (DEA)

ORDER

THIS MATTER comes before the Court upon Defendants' Motion to Dismiss seeking to dismiss the Complaint, (ECF No. 1), with prejudice pursuant to Federal Rule of Civil Procedure 12(b)(6) filed on May 15, 2023. (ECF No. 6.) Also pending is Plaintiff's Motion for Expedited Consideration filed on July 27, 2023. (ECF No. 12.) The Court has considered the parties' submissions and resolves the matter without oral argument pursuant to Federal Rule of Civil Procedure 78 and Local Civil Rule 78.1. For the reasons set forth in on the record at the Teleconference held on this day, and for other good cause shown,

IT IS on this 29th day of February, 2024,

ORDERED that Defendants' Motion to Dismiss pursuant to Rule 12(b)(6), (ECF No. 6), is **DENIED** with respect to Count One of the Complaint, (ECF No. 1); and it is further

ORDERED that Defendants' Motion to Dismiss pursuant to Rule 12(b)(6), (ECF No. 6), is **GRANTED**; with respect to Counts Two and Three of the Complaint, (ECF No. 1); and it is further

ORDERED that Plaintiff's Motion to Expedite, (ECF No. 12), is **DENIED** as moot; and it is further

ORDERED that the parties are to commence limited discovery before the Honorable Tonianne J. Bongiovanni; and it is further

ORDERED that the Court will hold teleconference with the parties on Tuesday, April 2, 2024 at 11:00 a.m. To participate, the parties must dial 888-684-8852 and when prompted, enter access code 1317475; and it is further

ORDERED that the Clerk of the Court is directed to terminate the motions pending at ECF Nos. 6 and 12.



ROBERT KIRSCH
UNITED STATES DISTRICT JUDGE